

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

WILLIAM HENRY SCHMIDT,

Petitioner,

v.

**STATE OF WASHINGTON,**

## Respondent.

Case No. 2:20-cv-01819-RSL-TLF

The Court, having reviewed the report and recommendation, the petition for writ of federal *habeas corpus* relief and the remaining record, hereby finds and ORDERS:

- (1) the Magistrate Judge's report and recommendation is approved and adopted as to all sections except that page 1, line 12, which cites "18 U.S.C. § 2254" should read "28 U.S.C. § 2254";
  - (2) petitioner's federal habeas corpus petition is DISMISSED without prejudice; and
  - (3) the Clerk is directed to send copies of this Order to petitioner, to Magistrate Judge Theresa L. Fricke and to any other party that has appeared in this action.

1 Dated this 23rd day of April, 2021.  
2  
3  
4  
5

  
Robert S. Lasnik  
United States District Judge  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25